



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

N.J. and G.J.,

Plaintiffs,

-against-

NYC DEPARTMENT OF EDUCATION, et
al.,

Defendants.

18-CV-6173 (JMF) (BCM)

**ORDER RE CONTINUING
SETTLEMENT SUPERVISION**

BARBARA MOSES, United States Magistrate Judge.

During the February 28, 2022 settlement conference, defendants made a concrete settlement offer to plaintiff, including compensatory education and money damages. Plaintiff responded with a revised demand, to which defendants responded, in turn, with an improved offer. A substantial gap remains between the parties' positions, but they have expressed a willingness to negotiate further and have agreed to execute an interim stipulation to ensure that G.J. continues to receive services during those negotiations. For these reasons, and as further discussed during the conference:

1. Once the parties have executed the interim stipulation, plaintiff shall promptly respond to defendants' last settlement offer by conveying a fresh demand, to which defendants, in turn, shall promptly respond with a fresh offer. Before defendant make that offer, the parties' lead counsel shall spend at least one hour discussing the settlement of this action in real time (*e.g.*, face to face, by telephone, or by videoconference, not over email or text). For avoidance of doubt: the parties are encouraged, though not required, to engage in additional rounds of negotiations and/or discussions, so as to settle this action, if possible, without further judicial supervision.

2. No later than **March 1, 2022**, the parties shall submit a confidential joint settlement update letter to Judge Moses, via email, in which they: (a) certify that they have complied with paragraph (1) of this Order; (b) report their most recent respective settlement positions; and (c) advise the Court as to whether they believe a renewed judicially supervised settlement conference would be useful. The Court will then determine whether and when to schedule such a conference.

Dated: New York, New York
February 18, 2022

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses".

BARBARA MOSES
United States Magistrate Judge